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FILED
MAY 05 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Pedro Ramirez-Martinez, Defendant.	'08 MJ 8374 Magistrate Case No.: COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about 2 May 2008, within the Southern District of California, defendant Pedro RAMIREZ-Martinez did knowingly and intentionally import approximately 27.98 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[signature]
Special Agent Renato Gates
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 5th DAY OF MAY, 2008.

[signature]
William McCurine
U.S. Magistrate Judge

UNITED STATES OF AMERICA
v.
Pedro RAMIREZ-Martinez

STATEMENT OF PROBABLE CAUSE

This Statement of Facts is based on the reports, documents, and notes furnished to U. S. Immigration and Customs Enforcement Special Agent Renato Gates.

On May 2, 2008, at approximately 2330 hours, Pedro RAMIREZ-Martinez entered the United States at the Calexico, CA, West Port of Entry. RAMIREZ-Martinez was the driver and sole occupant of a 1996 Chevy 1500 bearing California plate #5T69762.

Customs & Border Protection Officer (CBPO) M. McGee, with his Human and Narcotic Detector Dog (HNDD), was conducting pre-primary screening of vehicles when his HNDD alerted to the 1996 Chevy 1500 RAMIREZ-Martinez was driving. CBPO McGee informed CBPO O. Hurtado, who was assigned to primary lane #7, to refer the vehicle and RAMIREZ-Martinez to secondary for further inspection.

CBPO Hurtado received an oral Customs declaration from the driver RAMIREZ-Martinez. CBPO Hurtado referred the vehicle to secondary.

In the vehicle secondary lot, CBPO J. Garcia observed a black Chevy 1500 enter the lot and received a negative declaration from the driver, RAMIREZ-Martinez. RAMIREZ-Martinez informed CBPO Garcia he was visiting family in Mexicali, Mexico and entered the United States to go back home in Banning, California. RAMIREZ-Martinez stated he works at a tire shop in Banning, CA and needed to report to work tomorrow. RAMIREZ-Martinez told CBPO Garcia he purchased the truck one (1) week ago. CBPO Garcia noticed the gas tank sounded solid when tapped. A subsequent inspection of the vehicle revealed nineteen (19) packages concealed within the gas tank. One of the packages was probed and a sample of a green leafy substance was obtained, which field tested positive for marijuana. The 19 packages had a combined net weight of approximately 27.98 kilograms (61.556 pounds) of marijuana.

RAMIREZ-Martinez was arrested for importation of marijuana into the United States. RAMIREZ-Martinez was advised of his rights, per Miranda, in the Spanish language. RAMIREZ-Martinez stated he understood his rights and was willing to answer questions without the presence of an attorney. RAMIREZ-Martinez admitted knowledge of marijuana concealed in the vehicle and was to be paid $1,500 for the smuggling venture. RAMIREZ-Martinez also admitted to receiving $100 for gas with instructions to fuel up prior to crossing the vehicle into the United States. RAMIREZ-Martinez stated he was to drive the drug-laden vehicle into the United States and park the vehicle at the Wal-Mart. RAMIREZ-Martinez said once he delivered the vehicle to the Wal-Mart parking lot, he was to be paid $1,500.

Executed on 05/02/2008 at 0245 hrs.

Renato Gates, Special Agent
U.S. Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of two (2) pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on 2 May 2008, in violation of Title 21 United States Code, Section(s) 952 & 960

Date 5/3/08
11:00 AM.

~~Louisa~~ S. Porter
LOUISA
United States Magistrate Judge